

ORDINANCE NO. 20060622-099

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 8515 F.M. 1826 ROAD FROM DEVELOPMENT RESERVE (DR) DISTRICT TO LIMITED OFFICE-CONDITIONAL OVERLAY (LO-CO) COMBINING DISTRICT FOR TRACT ONE AND SINGLE FAMILY RESIDENCE STANDARD LOT-CONDITIONAL OVERLAY (SF-2-CO) COMBINING DISTRICT FOR TRACT TWO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district on the property described in Zoning Case No. C14-06-0010, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From development reserve (DR) district to limited office-conditional overlay (LO-CO) combining district.

A 3.17 acre tract of land, more or less, out of the Jesse Williams Survey No. 62, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, and

Tract Two: From development reserve (DR) district to single family residence standard lot-conditional overlay (SF-2-CO) combining district.

A 6.84 acre tract of land, more or less, out of the Jesse Williams Survey No. 62, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance (the "Property"),

locally known as 8515 F.M. 1826 Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

2. A maximum of two driveway approaches for vehicular access from the Property to F.M. 1826 is permitted.
3. The maximum number of residential units on Tract Two is one dwelling unit.
4. The following applies to Tract One.
 - A. The maximum height for a building or structure is 35 feet from ground level.
 - B. A building or structure may not exceed one story.
 - C. A 50-foot wide building setback shall be established along the north and south property lines.
 - D. Exterior lighting must be hooded or shielded so that the light source is not directly visible from adjacent properties.
 - E. One freestanding sign constructed on a berm is permitted on the Property. The maximum sign area is 24 square feet and may not exceed six feet above grade.
 - F. The following uses are prohibited uses:
 - Administrative and business offices
 - Art gallery
 - Art workshop
 - Bed and breakfast residential (Group 1)
 - Bed and breakfast residential (Group 2)
 - Club or lodge
 - College and university facilities
 - Communication service facilities
 - Communications services
 - Community events
 - Community recreation (private)
 - Community recreation (public)
 - Congregate living
 - Convalescent services
 - Counseling services
 - Cultural services
 - Day care services (commercial)

Day care services (general)
Day care services (limited)
Family home
Group home, Class I (general)
Group home, Class I (limited)
Group home, Class II
Hospital services (limited)
Private primary educational facilities
Private secondary educational facilities
Public primary educational facilities
Public secondary educational facilities
Residential treatment
Safety services
Software development
Special use historic
Urban farm

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on July 3, 2006.

PASSED AND APPROVED

_____ June 22 _____, 2006

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§
§ _____
Will Wynn
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk

EXHIBIT "A"
LEGAL DESCRIPTION

FIELD NOTES DESCRIBING 3.17 ACRES OF LAND, OUT OF THE JESSE WILLIAMS SURVEY NUMBER 62, TRAVIS COUNTY, TEXAS, SAME BEING OUT OF THAT CERTAIN GREGORY S. BEARD AND SOSSITY BEARD 10.00 ACRE TRACT, RECORDED IN DOCUMENT NUMBER 2003097824, OFFICIAL PUBLIC RECORDS, SAID COUNTY, SAID 3.17 ACRES OF LAND TO BE MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod set in the easterly right-of-way line of F M 1826, at the southwest corner of said 10.00 acre tract, for the southwest corner hereof, from which an iron pipe found the northwest corner Shadowridge Crossing, Section 11, a subdivision recorded in Document Number 200000134, Official Public Records, said county, bears South 60 degrees 58 minutes 58 seconds East, 20.00 feet;

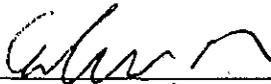
THENCE along said right-of-way line and the westerly line of said 10.00 acre tract, North 25 degrees 42 minutes 26 seconds East, 14.42 feet to a 60D nail found and North 29 degrees 09 minutes 30 seconds East, 371.50 feet to an iron rod set in said line, for the northwest corner hereof;

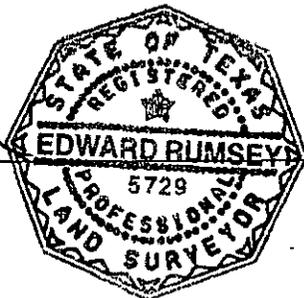
THENCE South 60 degrees 46 minutes 00 seconds East, through said 10.00 acre tract, 358.65 feet to an iron rod set, for the northeast corner hereof;

THENCE South 29 degrees 09 minutes 30 seconds West, continuing through said 10.00 acre tract, 384.55 feet to an iron rod set in the northerly line of said Shadowridge Crossing Section 11, in the southerly line of said 10.00 acre tract, for the southeast corner hereof;

THENCE along the northerly line of said Shadowridge Crossing Section 11 and the southerly line of said 10.00 acre tract, North 60 degrees 58 minutes 58 seconds West, 357.78 feet to the POINT OF BEGINNING and containing 3.17 acres of land, more or less.

THIS LEGAL DESCRIPTION IS TO BE USED IN CONJUNCTION WITH THE ATTACHED SURVEY PLAT (BY SEPARATE INSTRUMENT), ONLY.


Edward Rumsey
TX R.P.L.S #5729
Job # RM1826-2-2



5-23-06
Date

EXHIBIT "B"
LEGAL DESCRIPTION

FIELD NOTES DESCRIBING 6.83 ACRES OF LAND, OUT OF THE JESSE WILLIAMS SURVEY NUMBER 62, TRAVIS COUNTY, TEXAS, SAME BEING OUT OF THAT CERTAIN GREGORY S. BEARD AND SOSSITY BEARD 10.00 ACRE TRACT, RECORDED IN DOCUMENT NUMBER 2003097824, OFFICIAL PUBLIC RECORDS, SAID COUNTY, SAID 6.83 ACRES OF LAND TO BE MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at an iron rod found in the easterly right-of-way line of F M 1826, at the southwest corner of said 10.00 acre tract, for the southwest corner hereof, from which an iron pipe found the northwest corner Shadowridge Crossing, Section 11, a subdivision recorded in Document Number 200000134, Official Public Records, said county, bears South 60 degrees 58 minutes 58 seconds East, 20.00 feet;

THENCE along said right-of-way line and the westerly line of said 10.00 acre tract, North 25 degrees 42 minutes 26 seconds East, 14.42 feet to a 60D nail found and North 29 degrees 09 minutes 30 seconds East, 421.50 feet to an iron pipe in said line, at the northwest corner of said 10.00 acre tract, for the POINT OF BEGINNING AND the northwest corner hereof;

THENCE South 60 degrees 46 minutes 00 seconds East, along the northerly line of said 10.00 acre tract, 20.00 feet to an iron rod found at the southwest corner of Shadowridge Crossing Section 12, a subdivision recorded in Document Number 200000133, Official Public Records, said county, in the northerly line of said 10.00 acre tract, for a point in the northerly line hereof;

THENCE North 60 degrees 46 minutes 00 seconds East, continuing along the northerly line of said 10.00 acre tract, along the southerly line of said Shadowridge Crossing Section 12, 980.57 feet to an iron rod found at an angle corner in the southerly line of said Shadowridge Crossing Section 12, at the northeast corner of said 10.00 acre tract, for the northeast corner hereof;

THENCE South 28 degrees 57 minutes 03 seconds West, continuing along the southerly line of said Shadowridge Crossing Section 12 and along the easterly line of said 10.00 acre tract, 435.46 feet to an iron rod found in the northerly line of said Shadowridge Crossing Section 11, at the southeast corner of said 10.00 acre tract, for the southeast corner hereof;

THENCE along the northerly line of said Shadowridge Crossing Section 11 and the southerly line of said 10.00 acre tract, North 60 degrees 37 minutes 48 seconds West, 541.93 feet to an iron rod found and North 60 degrees 58 minutes 58 seconds West, 81.57 feet to an iron rod set in said line, for the southwest corner hereof;

THENCE through said 10.00 acre tract North 29 degrees 09 minutes 30 seconds West, 384.55 feet to an iron rod set and North 60 degrees 46 minutes 00 seconds West, 358.65 feet to an iron rod set in said right-of-way line, in the westerly line of said 10.00 acre tract, for an angle point in the westerly line hereof;

THENCE North 29 degrees 09 minutes 30 seconds East, along said right-of-way line and the westerly line of said 10 00 acre tract, 50.00 feet to the POINT OF BEGINNING and containing 6.83 acres of land, more or less.

THIS LEGAL DESCRIPTION IS TO BE USED IN CONJUNCTION WITH THE ATTACHED SURVEY PLAT (BY SEPARATE INSTRUMENT), ONLY.


Edward Rumsey
TX R.P.L.S #5729
Job # RM1826-3-3



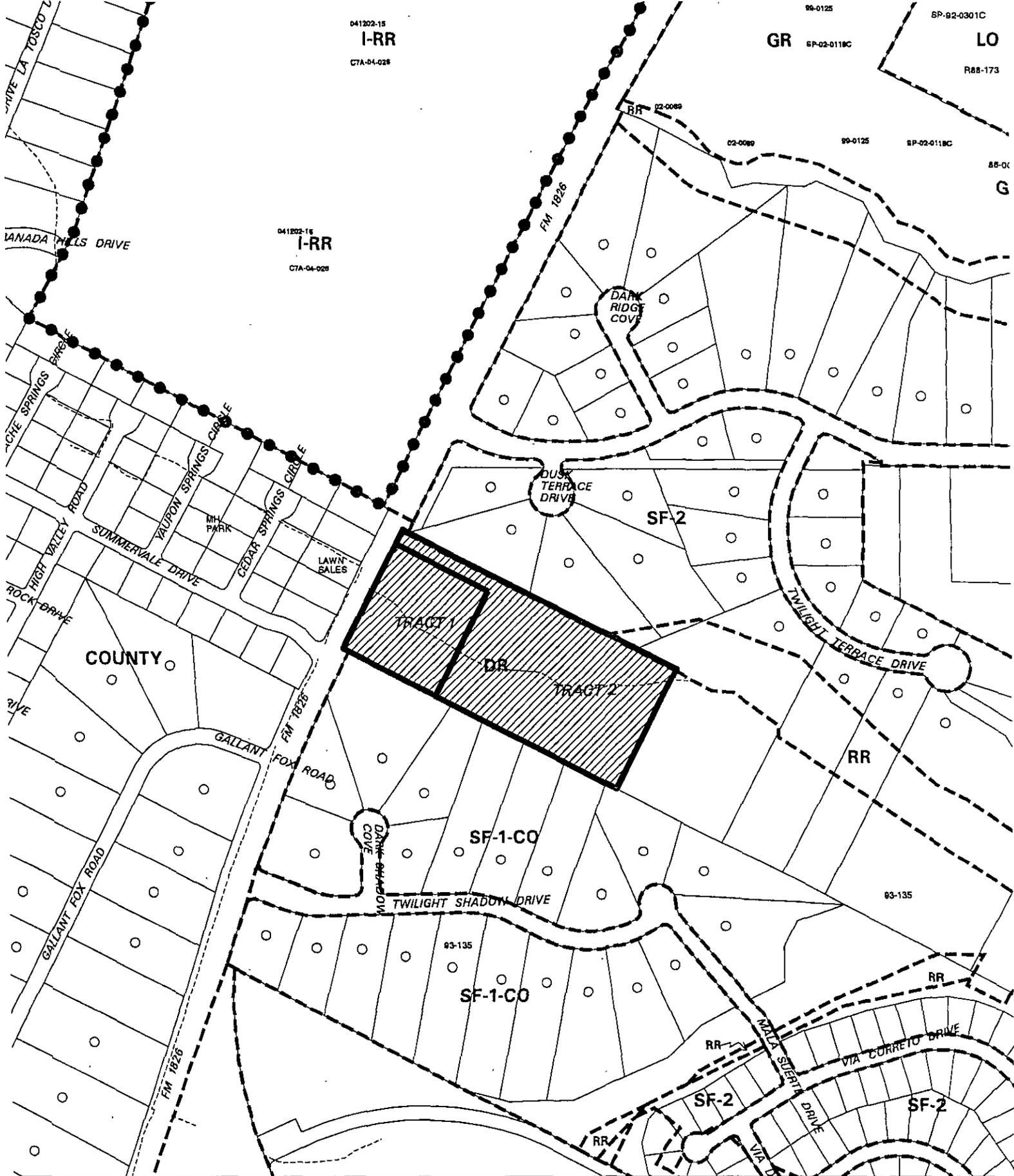
5-23-06
Date

041202-15
I-RR
CTA-04-028

99-0125
GR SP-02-0118C

SP-02-0301C
LO
R88-173

041202-16
I-RR
CTA-04-028



SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY
 CASE MGR: W.WALSH



CASE #: C14-06-0010
ADDRESS: 8515 FM 1826 RD
SUBJECT AREA (acres): 10

ZONING EXHIBIT C

DATE: 06-05
 INTLS: SM

CITY GRID
 REFERENCE
 NUMBER
B18